

REMARKS

The present amendment is in response to the Office Action mailed November 20, 2005, in which the Examiner objected to claims 1 and 10; rejected claims 1-13 under 35 U.S.C. 112, second paragraph; rejected claims 1, 5-6, 10, and 14 under 35 U.S.C. 102(b); rejected claims 2-4, 7 and 11, and 15-19 under 35 U.S.C. 103(a). Applicants again would like to thank the Examiner for the careful consideration and substantive effort given this case. The Applicants have thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. The following remarks are believed to be fully responsive to the Office Action and are believed to render the claims at issue patentable.

Claims 1, 10, and 14 have been amended herein. The amendments do not introduce new matter into the application.

Claim 20 has been added to this Application. No new matter is introduced in new claim 20.

CLAIM OBJECTIONS

The Examiner objected to Claim 1 and 10 because of informalities. Claim 1 has been amended to read "plurality of internal conflict indicators". Claim 10 has been amended to read "one code segment". These amendments do not change the scope of the claims but merely correct typographical errors. Appropriate correction has been taken to cure the informalities.

CLAIM REJECTIONS35 U.S.C. 112, paragraph 2

The Examiner has rejected Claims 1 and 10-11 under 35 U.S.C. 112, second paragraph as being indefinite. Specifically, the Examiner states that the phrase "determining if the database contains enough information," is unclear since it is not clear how much is enough. Applicants respectfully suggest that what is meant by enough is defined on, among other places, page 9 of Applicants' application. For example, lines 24 and 25 disclose that the "CAST 30 will instruct

the user if the searches did not find recent or complete information in a particular category 106.” Claim terms such as “enough” are definite where the specification provides a reasonable basis of interpretation. It is acceptable for a patent claim to express noncritical limitations with regard to factors such as time or quantity in functional rather than numerical terms. (*In re Caldwell*, 319 F.2d 254, 258, 138 USPQ 243, 246-47 (C.C.P.A. 1963)) (upholding claim language that referred to the amount of aspirin to be used in a method for stimulating growth in certain animals as “an effective amount...for growth stimulation”). Functional language, such as “distance sufficient,” is definite. (*Moore U.S.A. Inc. v. Standard Register Co.*, 229 F.3d 1091, 56 USPQ2d 1225 (Fed. Cir. 2000), *cert denied*, 532 U.S. 1008 (2001)). “Enough” is similarly definite here. As such, claims 1, 10, and 11 are in condition for allowance.

Claims 2-9 and 12-13 were rejected due to their dependency upon rejected base claims 1 and 11. Since independent claims 1 and 11 are in condition for allowance, dependent claims 2-9 and 12-13 are in also in condition for allowance.

35 U.S.C. 102

Claims 1, 5-6, 10 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Philip Schrodt, “Event Data in Foreign Policy Analysis” (Schrodt).

Claim 1

Examiner suggests that Schrodt teaches a method of conflict assessment (page 2 fourth paragraph, event data is the method to measure the phenomena). Applicants respectfully argue that Schrodt deals with *foreign policy perceptions* (page 2, paragraph 4), not internal conflict assessment as disclosed by Applicants, for example “information relevant to *internal conflicts*

around the world" (page 4: line 20) and "a plurality of levels of *internal conflict* indicators."

(currently amended claim 1) (emphasis added)

Applicants' claim 1 recites "Analyzing the information to determine a plurality of internal conflict indicators." Examiner argues that in Schrodt, the reported interaction is the indicator and the score is the determined level. (Schrodt, page 2, paragraph 4) Applicants again must distinguish between *internal* conflict indicators (Applicants' claim 1) and "interactions of nation-states" which are the "reported interactions" in Schrodt. The "interactions of nation-states," are not internal conflict indicators, which is required by Applicants' claim 1.

The Examiner also argues that the *intifada* is an example of an internal conflict. Applicants respectfully disagree, and Schrodt supports Applicants' position by describing the use of such data to "chart the evolution of a complex international interaction." The *intifada* is not an *internal* conflict, as Schrodt itself describes it as an international conflict arising from Israel's invasion of Lebanon, not an internal conflict. Further, the *intifada* is defined as "An uprising among Palestinian Arabs of the Gaza Strip and West Bank, beginning in late 1987 and continuing sporadically into the early 1990s, in protest against continued Israeli occupation of these territories. (The American Heritage® Dictionary of the English Language: Fourth Edition. 2000.) By this definition, the *intifada* was a conflict between a people, the Palestinian Arabs, and an occupying Israeli army.

Examiner also maintains that Schrodt's categories of events (page 5, paragraph 2) are the internal conflict indicators, as required by Applicants' claim 1. The category of events described by Schrodt may be centered on an "issue area" such as "whether an action is primarily military economic, diplomatic, or one of five other types of relationships". Implicitly, these relationships are between states, not internal conflicts. The category of events described by Schrodt may also

be centered on "issue arenas" such as the "Vietnam War, Arab-Israeli conflict, and SALT negotiations." (page 5, paragraph 2) The issue arenas proposed by Schrodт are obviously issues of foreign policy or interactions between states, and not internal conflicts.

Based on Applicants' amendments and arguments to claim 1, *supra*, Applicants request that currently amended claim 1 is in condition for allowance.

Claims 5-6

Examiner took official notice of the fact that data may be stored in a 3 1/2 inch diskette or a CD-ROM disk when a computer system is used (page 5, paragraph 4). Applicants request that since claims 5-6 depend from claim 1, and that since currently amended claim 1 is in condition for allowance, claims 5-6 are also in condition for allowance.

Claim 10

Applicants have amended claim 10 to correct a possible antecedent basis problem, and at the same time to clarify that Applicants' "indicators" are internal indicators. As such, the arguments presented for claim 1 apply equally to claim 10.

Based on Applicants' amendments and arguments, Applicants request that currently amended claim 10 is in condition for allowance.

Claim 14

Examiner suggests that Schrodт teaches a method of conflict assessment (page 2 fourth paragraph). As described in detail above with respect to claim 1, Applicants respectfully argue that Schrodт deals with *foreign policy perceptions* (page 2, paragraph 4), not internal conflict assessment as claimed by Applicants. Claim 14 is directed to a method that includes "determining a rate of change of conflict in the country." In addition, Applicants have currently amended claim 14 to clarify that the conflict indicators refer to internal conflicts.

Further all arguments presented by Applicants for currently amended claim 1 are applicable to claim 14. Applicants request, based on the current amendment and the arguments presented, that currently amended claim 14 is in condition for allowance.

35 U.S.C. § 103

Claims 2-4 are rejected under U.S.C. 103(a) as being unpatentable over Schrodт as applied to claim 1 above and further in view of Brandt, "Evaluating Information on the Internet (Brandt)

By way of Applicants' arguments and amendments, currently amended claim 1 is in condition for allowance. All claims that depend from claim 1, that is claims 2-9, are therefore also in condition for allowance. Applicants hereby request that Examiner remove the 35 U.S.C. 103(a) rejection from claims 2-4, and that claims 2-4 are in condition for allowance.

Claims 7 and 11 rejected under 35 U.S.C. 103(a) as being unpatentable over Schrodт as applied to claim 1 above and further in view of Carnegie Mellon University, "Commercial Software Models." (CMU) Specifically,

By way of Applicants' arguments and amendments, currently amended claim 1 is in condition for allowance. All claims that depend from claim 1, that is claims 2-9, are therefore also in condition for allowance. Applicants hereby request that Examiner remove the 35 U.S.C. 103(a) rejection from claim 7, and that claim 7 is in condition for allowance.

All arguments presented by Applicants for currently amended claim 1 are applicable to previously presented claim 11. Applicants hereby request that Examiner remove the 35 U.S.C. 103(a) rejection from claim 11, and that claim 11 is in condition for allowance.

Claims 15-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schrodт as applied to claim 14 above and further in view of Pauline Baker at "Session III: Democracy and Governance: Justice and Security (Baker)

As described above with respect to the 35 U.S.C. 102 rejection of claim 14, by way of Applicants' arguments and amendments, currently amended claim 14 is in condition for allowance. All claims that depend from claim 14, that is claims 15-19, are therefore also in condition for allowance. Applicants thereby request that Examiner remove the 35 U.S.C. 103(a) rejection from claims 15-19, and that claims 15-19 are in condition for allowance.

NEW CLAIM

New claim 20, which depends from claim 1 has been added to this application for clarity purposes. No new matter has been added. New claim 20 emphasizes that the Applicants' embodiments deal with internal conflict assessment within the selected country. Examiner points out that Schrodт uses a computer to select a country; the country selected is the Soviet Union with a time period 1948-1978 (Schrodт, page 2, last paragraph). Applicants, with due respect, point out that passage from Schrodт selected by the Examiner, describes "the actions that the United States directed towards the Soviet Union" (page 2, last paragraph), that is, "foreign policy perceptions". (Schrodт, page 2, fourth paragraph) Schrodт does not teach "information relevant to *internal conflicts* around the world" (Applicants, page 4: line 20) Applicants stress that their embodiment deals with internal conflict assessment within "the selected country", (page 9, line 13) not foreign policy, which is defined as "The diplomatic policy of a nation in its interactions with other nations." (The American Heritage® Dictionary of the English Language: Fourth Edition. 2000)

CONCLUSION

In light of the above amendments and remarks, Applicants respectfully submit that all pending claims as currently presented are in condition for allowance and hereby respectfully request reconsideration. Applicants submit that no new matter has been added and that the originally filed specification, drawings, and claims support the amendments. Applicants respectfully request the Examiner to pass the case to issue at the earliest convenience.

Applicants have thoroughly reviewed the art cited but not relied upon by the Examiner. Applicants have concluded that these references do not affect the patentability of the claims as currently presented.

Respectfully Submitted,



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